

## REMARKS

The application includes claims 1-19, 21-69 prior to entering this amendment.

The examiner rejects claims 9-19, 21, 22, and 54-56 under 35 U.S.C. § 103(a) as being unpatentable over Chmaytelli (U.S. Patent 6,233,464) in view of Namekawa et al. (U.S. Patent 5,519,763) and Skinner et al. (U.S. Patent 6,928,300).

The examiner rejects claims 23-53, and 57-69 under 35 U.S.C. § 103(a) as being unpatentable over Chmaytelli in view of Steer et al. (U.S. Patent 6,343,213).

The examiner finds claims 1-8 allowable.

The applicant amends claims 9, 17, 23, 37-44, 57, 65, and 69 and cancels claim 36 without prejudice.

The application remains with claims 1-19, 21-35, and 37-69 after entering this amendment.

The applicant adds no new matter and requests reconsideration.

## Claims Allowed

The applicant thanks examiner Dao for allowing claims 1-8. The applicant amends claim 37 to include limitations similar to those found in allowed claim 1. The applicant requests that the examiner allow claims 37-44.

## Claim Rejections Under § 103

The examiner rejects claims 9-19, 21-22, and 54-56 as obvious over Chmaytelli, Skinner, and Namekawa. And the examiner rejects claims 23-53 and 57-69 as obvious over Chmaytelli in view of Steer. The applicant traverses the rejections for the reasons that follow.

Claim 9 recites *switching between the first and second modes of operation in response to a broadcast signal wirelessly transmitted in a particular geographic region*. Claim 17 recites *a selection means triggered by a wireless signal broadcast by an external entity for selecting between a first mode of operation*. Claim 23 recites *subsequently disabling... responsive to a signal wirelessly broadcast by an external entity*. Claim 45 recites *means for disabling the sending functionality while maintaining said local processing, said data storage functionality and said receiving functionality responsive to a wirelessly transmitted signal in a particular*

*geographic region. Claim 57 recites in response to detecting a wireless signal broadcast by an external entity in a particular geographic region....Claim 65 recites automatically switching between the first mode and the second mode in response to a wireless trigger signal received at the device.*

The examiner acknowledges that neither Chmaytelli nor Skinner disclose the limitation, citing Namekawa to support the obviousness rejection by providing the missing link. The examiner indicates that Namekawa teaches "switching between fax and telephone mode in response to an external wireless device that demodulates the fax signals to signals suited for wireless communication."<sup>1</sup> The examiner concludes that it would have been obvious to combine the references "for the combined system to conveniently compatibly accept fax signals."<sup>2</sup>

Namekawa describes a base station 11 that detects a CNG signal from the telephone (land) line indicative of requesting a facsimile communication.<sup>3</sup> If the base station 11 detects the CNG signal, it generates a wireless facsimile signal that it then transmits to the cordless facsimiles 23a to 23c or cordless facsimile/phone 28a and 28b.<sup>4</sup> If the base unit 11 does not detect the CNG signal, it generates a digitally modulated voice signal that it then transmits to the cordless phone 18 or the cordless facsimile/phone 28a and 28b.<sup>5</sup> With regard to incoming facsimile communication, therefore, Namekawa does not appear to switch between fax and telephone mode "in response to an external wireless device" as the examiner alleges. With regard to outbound facsimile communication, the control portion 27 generates and transmits an off hook signal and a dial signal to the base station 11.<sup>6</sup> The base station 11 proceeds to connect the cordless facsimile 23a to a "communication partner" using the network control portion 12.<sup>7</sup> The "external wireless signal" the examiner writes of, if any, does not actually demodulate or trigger demodulation of any signals, but rather requires the base unit 11 to attempt connection to a communication partner using the telephone line such that subsequently sent signals from the facsimile 23a are, in turn, transmitted to the communication partner through the base unit 11 and the telephone (land) line. Namekawa, therefore, does not disclose that the base station 11 switches between telephone and fax modes responsive to a *broadcast signal wirelessly*

<sup>1</sup> Office action dated 3/15/2007 page 4.

<sup>2</sup> Id.

<sup>3</sup> Namekawa, column 5, lines 31-35.

<sup>4</sup> Namekawa, column 5, lines 33-54.

<sup>5</sup> Id.

<sup>6</sup> Namekawa, column 6, lines 11-31.

*transmitted in a particular geographic region* as required by the claims. Moreover, nothing in the Chmaytelli indicates that its device includes the capability to accept facsimile signals. The examiner's indication that a person of reasonable skill in the art would be motivated to combine the references to "conveniently compatibly accept fax signals" is both illusory and unsupported by the references.

With regard to claim 54, the examiner indicates that the applicant's remarks filed on 1/2/2007 "admits that the limitations of claims 54 is similar to that of claim 9." The applicant made no such admission in the amendment filed 1/2/2007. The applicant discussed claim 54 to address the examiner's rejection of the claims under §§ 101 and 103. In neither of these sections did the applicant indicate that the limitations of claim 54 were similar to those of claim 9. The applicant did indicate that "claims 54-56 are apparatus claims that include limitations on the modes of operation similar to those discussed above for claim 23."<sup>8</sup> At the time, the examiner had rejected claim 23 as obvious over the combination of Chmaytelli in view of Matsuo, a rejection he now removes. Moreover, that claims 23 and 54 include some similar limitations does not excuse the examiner from his duty to analyze each and every limitation of the claims. For example, the applicant finds no disclosure in the cited art for the recited switch that *is adapted to selectively disable the antenna....*

Claim 23 further recites *subsequently disabling the access to sending wireless signals while simultaneously maintaining the access to the user-operated computing functionality and the access to receiving wireless signals....* The examiner acknowledges that Chmaytelli does not disclose the recited *subsequently disabling the access to sending while simultaneously maintaining the access to the user-operated computing functionality*. According to the examiner, Steer discloses inhibiting a mobile device from transmitting while still capable of receiving in a certain zone. But Steer fails to disclose that its enabling occurs responsive to a signal wirelessly broadcast in a particular geographic region as is recited in claim 23 and discussed above.

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<sup>7</sup> Id.


<sup>8</sup> Amendment responsive to non-final action filed 1/2/2007, page 23.

### **Conclusion**

The applicant requests reconsideration and allowance of the remaining claims. The applicant encourages the examiner to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

A handwritten signature in black ink, appearing to read 'Gracela G. Cowger', is written over a horizontal line.

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